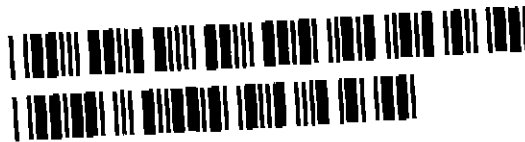


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JAN 17 2007

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY



06-CV-00129-ORD

BY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIEL TODD McGREW,

Petitioner,

v.

RICHARD MORGAN,

Respondent.

Case No. C06-129-MJP

ORDER OF DISMISSAL

The Court, after careful consideration of petitioner's § 2254 petition for writ of habeas corpus, the respondent's answer, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, the governing authorities and the balance of the record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation.

(2) Petitioner's federal habeas petition (Dkt. No. 9) is DISMISSED with prejudice as to claims one and three, and DISMISSED without prejudice as to claims two and four, as noted in the Report and Recommendation.

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ORDER DISMISSING § 2254 PETITION

01 (3) The Clerk is directed to send copies of this Order to all counsel of record and to
02 Judge Donohue.

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04 DATED this 16 day of January, 2007.

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07 MARSHA J. PECHMAN
08 United States District Judge
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ORDER DISMISSING § 2254 PETITION